

CR No. 6123 of 2016 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 6123 of 2016 (O&M)

Date of Decision: September 19, 2016

Joginder Singh (since deceased) through Lrs
Jasbir Kaur & others

...Petitioners

Versus

Jagmohan Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rahul Sharma-I, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (Oral):

CM No.18819-CII of 2016

Exemption is granted from filing certified/typed copies of the impugned orders as well as Annexures P-1 to P-14 and the same are taken on record, subject to all just exceptions.

Application stands disposed of.

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It is the contention of the learned counsel for the petitioners that the petitioners, who are the legal representatives of Joginder Singh, who had died during the pendency of the appeal and were impleaded as such vide order dated 27.05.2016 were not served and the learned Appellate Authority, Patiala, has proceeded to decide the appeal in their absence. He, therefore, contends that the order as passed by the Appellate Authority dismissing the appeal of the appellants is not sustainable as they have been

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denied the benefit of the principle of natural justice.

Notice of motion.

Mr. Mayank Mathur, Advocate, accepts notice on behalf of the respondents and could not dispute the contention as has been raised by the counsel for the petitioners.

In view of the above, the impugned order dated 01.09.2016 passed by the Appellate Authority, Patiala, in RA No.08 of 11.12.2014 is hereby set aside. Parties are directed to appear before the Appellate Authority, Patiala, on 30.09.2016. The Appellate Authority shall make an endeavour to decide the appeal as early as possible and in any case, not beyond the period of two months from the date of appearance of the parties.

Till the decision of the appeal, status quo as it exists today shall be maintained by the parties.

CM No.18820-CII of 2016

In view of the order passed in the main revision petition, no order is required to be passed in the present application as the same has been rendered infructuous.

Disposed of as such.

Copy of the order be given *dasti* to the counsel for the petitioners under the signatures of the Bench Secretary of this Court.

(AUGUSTINE GEORGE MASIH)
JUDGE

September 19, 2016
Harish

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No